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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at Fax number 703 872 9306 on December 19, 2003 and to Fax number 703 308 6459 on December 19, 2003.

Mary Ann Copas, Secretary

In the Application of Wilhelm Geis et al

Ser.No.: 09/284,311

Filed: April 26, 1999

For: SHAFT LOCKING DEVICE

Art Unit: 3681

Examiner: Rodney Bonck

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

URGENT REQUEST FOR STATUS ON PETITION

Sir:

Applicants respectfully request the status of the "Request to Rescind Notice of Abandonment" filed via Express Mail on May 4, 2001. Applicants have not received a response to the Request, and status of the application and response to the petition is now urgently requested.

Attached to this transmittal is a full and complete copy of the "Request to Rescind Notice of Abandonment" as filed on May 4, 2001. Additionally, a copy of the Express Mail label under which the Request was filed is also attached.

This letter is being transmitted by telefax to the official number for patent applications as well as to the PCT number for responses to decisions on petition. Although this is not a response to a decision on petition, Applicants are sending a copy to this number in an attempt to ensure that this request is directed to the appropriate organization.

Applicants' representative will also contact the PCT Legal Office and the technical center assigned to this application after submittal by fax in order to confirm receipt of this letter.

Applicants respectfully request a response to the "Request to Rescind Notice of Abandonment" on an expedited basis, if possible, as it has been some time since the request was filed and there is now some urgency regarding this application.

Your attention to this matter is greatly appreciated and the undersigned would very much appreciate a telephone call if additional information is required in order to respond to this request.

Respectfully submitted,



Robert W. Becker, Reg. No. 26,255
for applicant(s)

ROBERT W. BECKER & ASSOCIATES
707 Highway 66 East, Suite B
Tijeras, NM 87059

Telephone: (505) 286-3511
Facsimile: (505) 286-3524

RWB:mac
Attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

"Express Mail" Mailing Label Number EL 490 1888 815 US

Date of Deposit: May 4, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Mary Ann Copas, Secretary

In the Application of Wilhelm Geis et al

Ser.No.: 09/284,311

Filed: April 26, 1999

For: SHAFT LOCKING DEVICE

Art Unit: 3681

Examiner: Rodney H. Bonck

Assistant Commissioner for Patents

Washington, DC 20231

REQUEST TO RESCIND NOTICE OF ABANDONMENT

Dear Sir:

In response to the Notice of Abandonment mailed June 29, 2000, the following information is provided to support Applicants' request to rescind the Notice of Abandonment. Specifically, the Office letter mailed on December 1, 1999 was not received in this office and, therefore, it was not possible for Applicants to file a timely response to the Office letter. The process for receiving, entering and tracking receipt of an Office Action is as follows.

The Mail Clerk opens the Office Action, matches the Office Action to the correct file jacket, and delivers the Office Action with its file jacket to the secretary assigned to

receive and process incoming Office Actions.

This secretary enters the Office Action information in the computer data base, notes the pertinent information on the cover of the file jacket, copies the Office Action (for the client), and gives the complete package to the responsible attorney for review and reporting of the Office Action to the Applicants.

The responsible attorney reviews the Office Action and dictates a letter reporting the Office Action to the Applicants. The file jacket and the Office Action are then given to a second secretary who prepares the reporting letter for signature, duplicates the reporting letter, files a copy in the file jacket, and sends the reporting letter and copy of the Office Action to the Applicant. This secretary notes in the computer database "OA TO CL 00/00/00" (00/00/00 indicating the date of the reporting letter). The file is then returned to the first secretary for verification that the "OA TO CL 00/00/00" is correctly entered in the database.

As shown in the attachments A - C, there is no record of receipt of an Office Action for the above-identified application. Attachment A is the main computer screen for the above-identified application. Attachment B is the Office Action computer screen for the same application. Attachment C is a copy of the file jacket cover. None of these attachments reflect receipt of an Office Action for the instant application. We have searched the file jacket for the Office Action. We have not found the Office Action or any record of receipt.

The first communication we received after filing the instant application is the Notice of Abandonment.

As shown by the attachments cited above, there is no record on the file jacket

cover of receipt of an Office Action dated 12/01/99 (this would have been reflected in the column entitled "Office Actions", Additionally, the entire file jacket was searched for the Office Action of 12/1/99 and it was not found.

Also enclosed please find two declarations (Attachments D and E) signed by the individuals who searched the file jacket for the Office Action and who have primary responsibility for the receiving and tracking of Office Actions..

Based on the information provided herein and the Office Action that was not received and is therefore missing from the file jacket, it is respectfully requested that the Notice of Abandonment be withdrawn and the Office Action of 12/01/99 be reissued.

Respectfully Submitted,



Robert W. Becker, Reg. No. 26,255
for applicant(s)

ROBERT W. BECKER & ASSOCIATES
11986 N Highway 14, Suite B
Tijeras, NM 87059

Telephone: (505) 286-3511
Facsimile: (505) 286-3524

Enclosures:

| | |
|--------------|-------------------------------|
| Attachment A | primary computer screen |
| Attachment B | office action computer screen |
| Attachment C | copy of file jacket cover |
| Attachment D | declaration - Mary Ann Copas |
| Attachment E | declaration - Evelyn L. Stump |

U.S. Patent Case (Record Locked to allow your updates)

Applicant: JAMES S. ...
Inventor: JAMES S. ...
Attorney: ...
App No.: 09/284,133
Filing Date: 02/23/98
Pub No.: 6,200,000
Pub Date: 07/23/00
Title: SHASTA INDEXING DEVICE
Class: 705/205
Status: ...
Based on PCT: ...
Request for Reconsideration: ...
There are 2 Reminders for this Case.
First Filing Location: ...

Best Available Copy

Office Action (Record Locked to allow your updates)

1. CLAIMS

2. PRIOR ART

3. REASON FOR REFUSAL

4. COMMENTS

5. ACTION REQUIRED

6. ACTION TAKEN

7. ACTION REQUIRED

8. ACTION TAKEN

9. ACTION REQUIRED

10. ACTION TAKEN

11. ACTION REQUIRED

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Best Available Copy

Copy of Office Action Data Screen for A90475/ATLAS/KS
Serial Number 09/284,311

Inventor Wilhelm Geis, Manuela Menrath
Title Shaft Locking Device
Ser. No. 09/284,311 Filed 26 Apr 1999 Renewal Filed _____
Group 3681 Room 703-308-2904 Examiner Robbey Baack
Remarks Based on DE 297 15 257.2 filed 26 August 1997
Foreign Cases PCT/EP98/05432 filed 26 August 1998

Inventor

Wilhelm Steis et al

Client's

Handwritten:

150475

Serial No. CG/28431

FT/21/K9

[illegible]

Allowed _____ Renewal All'd _____ Final Fee Paid _____

ASSIGNMENT

Large

Date Atlas Copco Electric
To Tools GmbH
Max-Eyth-Strasse 10
Address 71364 Winnenden
Interest Germany
Recorded 4/26/99 Reel 010036 Frame 0798

INTERFERENCE

Declared _____ No. _____

Opponent _____

Claim Involved _____

Decision _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of Wilhelm Geis et al

Ser.No.: 09/ 284,311

Filed: April 26, 1999

For: SHAFT LOCKING DEVICE

Assistant Commissioner for Patents


Washington, DC 20231

DECLARATION UNDER 1.68

Sir:

I, Mary Ann Copas, secretary in the office of Robert W. Becker, Attorney of Record in the above-mentioned patent application, do hereby declare that on May 4, 2001, I searched the entire file jacket of the above-identified application and did not find an Office Action dated 12/01/99. I also am assigned responsibility for logging in Office Actions, Office Letters, and Notices of Abandonment for US Patent Applications. I have no record of the Office Action listed above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of this application, the patent which issues thereon, or any patent to which this verified statement is directed.



Mary Ann Copas

May 4, 2001
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of Wilhelm Geis et al

Ser.No.: 09/284,311

Filed: April 26, 1999

For: SHAFT LOCKING DEVICE

Assistant Commissioner for Patents

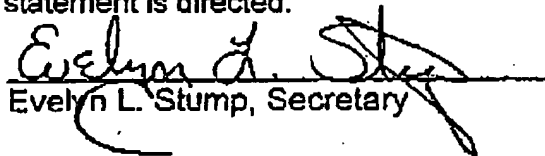
Washington, DC 20231

DECLARATION UNDER 1.68

Sir:

I, Evelyn L. Stump, secretary in the office of Robert W. Becker, Attorney of Record in the above-mentioned patent application, do hereby declare that I on May 4, 2001 searched the entire file jacket of the above-identified application and did not find an Office Action dated 12/01/99. I have responsibility for reporting Office Actions, Office Letters, and Notices of Abandonment for US Patent Applications to clients. I have no record of reporting the communication listed above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of this application, the patent which issues thereon, or any patent to which this verified statement is directed.


Evelyn L. Stump, Secretary

May 4, 2001
Date

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